

JAN. 28. 2004 3:02PM • 858 792-6773 FOLEY AND LARDNER

NO. 7754 P. 1

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Date :	1/28/2004
App. Serial Number :	10/623,114
Client/Matter No :	051091-2001
User ID No :	0079

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Transmitted herewith for filing in the above patent application are the following:

1. Transmittal (1 page);
2. Third Supplemental IDS (2 pages); and
3. PTO Form SB/08 (1 page).

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Atty. Dkt. No. 051091-2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yerramilli V.S.N. Murthy, et al.

Title: COMPOSITIONS CONTAINING
PRODRUGS OF FLORFENICOL
AND METHODS OF USE

Appl. No.: 10/623,114

Filing Date: 07/18/2003

Examiner: Unknown

Art Unit: 1642

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TRANSMITTAL

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing in the above application are the following:

- 1) Third Supplemental Information Disclosure Statement (2 pages); and
- 2) PTO Form SB/08 (1 page).

Although no fees are believed to be due, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872.

Date Jan 28, 2004

Respectfully submitted,

Richard J. Warburg
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Customer Number: 30542
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By Richard S. Pietro

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Attorney for Applicant
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THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present

Atty. Dkt. No. 051091-2001

application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed document is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Date Jan. 28, 2004

Respectfully submitted,

Richard J. Warburg
FOLEY & LARDNER

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By Richard San PietroRichard San Pietro
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